

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ELOY PADILLA-SALDANA,

Petitioner,

vs.

STATE OF NEVADA, et al.,

Respondents.

Case No. 2:15-cv-01188-RCJ-VCF

ORDER

The court ordered petitioner to pay the filing fee. Order (#3). Petitioner has not paid the filing fee or filed any other motion in the allotted time. The court will dismiss this action. Petitioner remains responsible for calculating the time limits under 28 U.S.C. § 2244(d) for any subsequently filed habeas corpus petition.

Petitioner's motion for leave to file a longer than normal petition (#2) and motion for appointment of counsel (#3) are moot because the court is dismissing this action.

Reasonable jurists would not find the court's conclusion to be debatable or wrong, and the court will not issue a certificate of appealability.

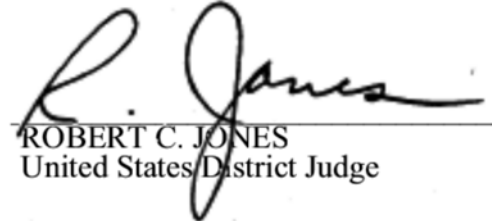
IT IS THEREFORE ORDERED that petitioner's motion for leave to file a longer than normal petition (#2) is **DENIED** as moot.

IT IS FURTHER ORDERED that petitioner's motion for appointment of counsel (#3) is **DENIED** as moot.

1 IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice for
2 petitioner's failure to pay the filing fee. The clerk of the court shall enter judgment accordingly and
3 close this action.

4 IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

5 DATED: This 9th day of November, 2015.

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8 ROBERT C. JONES
9 United States District Judge
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